

**2001 DRAFTING REQUEST****Senate Amendment (SA-SB55)**Received: **05/24/2001**Received By: **isagerro**Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**By/Representing: **Carreon**This file may be shown to any legislator: **NO**Drafter: **isagerro**

May Contact:

Addl. Drafters:

Subject: **Public Assistance - Wis works**  
**Public Assistance - misc**Extra Copies: **DAK, JTK**Submit via email: **NO**

Requester's email:

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**Pre Topic:**

LFB:.....Carreon -

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**Topic:**

Limits on expenditure of TANF moneys

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	isagerro 06/04/2001	wjackson 06/04/2001	jfrantze 06/05/2001	_____	lrb_docadmin 06/05/2001		
/2	isagerro 06/05/2001	wjackson 06/05/2001	kfollet 06/05/2001	_____	lrb_docadmin 06/05/2001		

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Page 2

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Page 1

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1?	isagerro	1 wly 6/4	Jb/s	Jb/pq 6/5			

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## **Legislative Fiscal Bureau**

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

May 21, 2001

Joint Committee on Finance

Paper #1055

### *Temporary Assistance for Needy Families (TANF)*

### **Joint Committee on Finance Authority to Review Expenditures of Federal TANF and Child Care Block Grant Funds (DWD – Economic Support and Child Care)**

#### **CURRENT LAW**

Under current law, s. 49.175 of the statutes directs the Department of Workforce Development (DWD) to allocate funding from several state and federal appropriations for individual components of the temporary assistance for needy families (TANF) program. This provision also permits DWD, with the approval of the Secretary of the Department of Administration (DOA), to reallocate funds among the allocations listed in s. 49.175. Prior to the 1999-01 budget, any transfers of more than 10% of individual allocations had to be approved by the Joint Committee on Finance under a 14-day passive review process. Under current law, the Joint Committee on Finance does not have any approval role.

#### **GOVERNOR**

No provision.

#### **DISCUSSION POINTS**

1. The authority of DWD to transfer funds without the Committee's approval is intended to allow the Department to be responsive to changing needs for resources under the TANF program. As part of the 1997-99 biennial budget bill, DWD was permitted to transfer up to 10% per year of individual allocations without approval of the Joint Committee on Finance. Transfers in excess of 10% required approval by the Secretary of DOA and the Joint Committee on Finance through a 14-day passive review process.

2. Under the 1999-01 budget bill, as passed by the Legislature, DWD would have been prohibited from transferring any funds among the statutory allocations for the TANF program without approval by the Secretary of DOA and the Joint Committee on Finance, through a 14-day passive review process. However, this provision was partially vetoed by the Governor so that only DOA approval is required. Consequently, there is currently no review by the Finance Committee for annual transfers among the TANF allocations.

3. Provisions allowing DWD to transfer funds without legislative review were first put in place prior to the start-up of W-2. It was believed that significant administrative flexibility would be needed during the initial years of the program. However, with W-2 entering its fifth year of implementation, there is now greater certainty regarding the amount of funding that will be needed for the various components of the program. Consequently, it could be argued that the amount of flexibility provided to the Department should be reduced or eliminated.

4. Some of the statutory allocations involve very large dollar amounts. For example, under the budget bill, the allocation for the Wisconsin Shares child care subsidy program would be \$242.5 million annually. In addition, the amount for administration and services under the Wisconsin Works (W-2) contracts would be \$127.0 million in 2001-02 and \$125.7 million in 2002-03. Under current law, there is no limit to how much could be transferred from these allocations to other allocations in the TANF program without approval of the Joint Committee on Finance or any other legislative oversight.

5. If the Committee believes that this administrative flexibility should be modified, a statutory threshold for Joint Finance review could be reestablished. The amount could be reestablished at the 10% level. An example of the impact of the 10% limit would be that the Department could transfer up to \$24.3 million annually from the child care subsidy program to other allocations. Another option would be to establish a lower threshold such as 5%, which would allow the Department to transfer up to \$12.1 million annually from the child care subsidy program to other allocations. To provide the maximum amount of legislative oversight, the Legislature could require that all transfers among allocations be approved by the Secretary of DOA and the Joint Committee on Finance.

6. Another alternative would be to cap the amount that may be transferred from one of the statutory allocations in the TANF program to another statutory allocation by a specific dollar amount, such as \$5 million, \$1 million or any other amount.

## **ALTERNATIVES TO BILL**

1. Require the Department of Workforce Development to obtain approval from the Secretary of the Department of Administration and the Joint Committee on Finance through a 14-day passive review process, for any proposed reallocation within the TANF program if the amount exceeds:

- a. 10% per allocation per year.

b.

5% per allocation per year.

2. Require the Department of Workforce Development to obtain approval from the Secretary of the Department of Administration and the Joint Committee on Finance through a 14-day passive review process, for any proposed reallocation within the TANF program if the amount exceeds:

- a. \$5 million per allocation per year.
- b. \$1 million per allocation per allocation per year.
- 3. Maintain current law.

Prepared by: Victoria Carreón



## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

May 21, 2001

Joint Committee on Finance

Paper #1054

### *Temporary Assistance for Needy Families (TANF)*

### **Federal Block Grant Appropriations (DWD -- Economic Support and Child Care)**

[LFB 2001-03 Budget Summary: Page 753, #48]

#### **CURRENT LAW**

Under current law, funding from the federal temporary assistance for needy families (TANF) block grant and the federal child care and development fund is deposited into two continuing appropriations in the Department of Workforce Development (DWD). Funding from these two appropriations, along with state GPR, other federal funds and program revenue from child support assigned to the state by public assistance recipients, is used to support the TANF program, which includes the Wisconsin Works (W-2) program, child care subsidies, kinship care, the SSI caretaker supplement and related programs. Under current law, these are annual appropriations, meaning that funds are expendable only up to the amount shown in the Chapter 20 schedule and only for the fiscal year for which they were appropriated. At the end of each fiscal year, the unencumbered balances in these appropriations remain in the appropriation accounts, but may not be expended unless reappropriated in a subsequent fiscal year.

Neither the appropriation schedule nor the appropriation language in Chapter 20 indicate specific dollar amounts for the individual components of the TANF program. Instead, s. 49.175 of the statutes directs DWD to allocate funding from these appropriations for specific program expenditures. Section 49.175 also allows DWD to transfer funds among allocations if the Secretary of the Department of Administration (DOA) approves the redistribution.

If DWD receives more federal block grant revenues than expected, additional funds are carried over from one fiscal year to the next, or there are unappropriated funds, then those funds can be appropriated either through separate legislation or through the approval process in ss.



16.515(1)/16.54(2)(a)2. Under these provisions, DWD may not encumber or expend moneys received as a part of the grant unless the Governor first notifies the Co-chair of the Joint Committee on Finance, in writing, that the grant has been made. The notice must describe how the funds would be used. If the Co-chairs of the Committee do not notify the Governor that the Committee has scheduled a meeting for the purpose of reviewing the proposed expenditure of grant moneys within 14 working days of the notification, the moneys may be expended as proposed by the Governor. If the Committee notifies the Governor within 14 days that the Committee has scheduled a meeting to review the proposal, no moneys received as a part of the grant may be expended without the approval of the Committee. Allocations specified in s. 49.175 are exempt from this provision.

## **GOVERNOR**

Convert DWD's TANF and child care and development fund appropriations from annual to continuing, sum certain appropriations that would be limited to the amounts in the Chapter 20 schedule. Continuing appropriations are expendable until fully depleted or repealed by subsequent action of the Legislature. The amount of a sum certain, continuing appropriation for a given fiscal year consists of the balance in the appropriation account at the end of the previous fiscal year, if any, together with any moneys appropriated in the Chapter 20 schedule for that fiscal year. The bill would also require DWD to submit an annual report to the Secretary of the Department of Administration on expenditures made for the TANF program.

As under current law, the bill would maintain an allocation schedule in s. 49.175 that identifies the amounts to be expended from state and federal appropriations for specific components of the TANF program and would maintain DWD and DOA's ability to transfer funds among allocations.

## **DISCUSSION POINTS**

1. The bill would change DWD's federal block grant appropriations for the TANF program from annual to continuing appropriations. As part of the 1999-01 budget bill, the Governor recommended changing these appropriations from continuing to annual appropriations and the Legislature concurred in this recommendation. It was believed that this change would provide greater legislative oversight since expenditure authority would be limited to the amounts shown in the appropriation schedule and would terminate at the end of each fiscal year. Prior to the 1999-01 biennium, the appropriation language allowed DWD to expend "all moneys received" from federal block grants for public assistance benefits and administration.

2. The Governor's proposal to change DWD's federal block grant appropriations back to continuing appropriations represents a combination of the two approaches that have been used since the implementation of W-2. While unspent funds could be carried over from year to year, DWD would only be authorized to expend the amounts in the Chapter 20 appropriations schedule. DWD would not be permitted to spend "all moneys received" as it could when these two

appropriations were previously classified as continuing appropriations. Any federal funds received in excess of those in the Chapter 20 schedule and s. 49.175 would not be available for expenditure unless they were allocated through separate legislation or through the process required in s. 16.54. The allocation schedule in s. 49.175 would remain in effect and DWD would still have the ability to transfer funds among allocations.

3. DWD requested that its federal block grant appropriations be changed from annual appropriations to continuing appropriations for several reasons. First, the end of the federal fiscal year is September 30, while the end of the state fiscal year is June 30. Having an annual appropriation requires the state to obligate funds earlier than required by the federal government and effectively requires DWD to go through the annual obligation process twice. Second, use of an annual appropriation creates the need to reappropriate unexpended funds in subsequent fiscal years. Funds must be reappropriated even if they have already been obligated for contracts that span over more than one fiscal year. This creates the need for additional s. 16.54 requests that would not be necessary if these were continuing appropriations. It also causes confusion as to whether funds included in the budget are for new activities or are for existing obligations. In addition, the fact that unexpended funds need to be reappropriated creates uncertainty for the Department and contractors as to whether the programs will be able to continue in the next fiscal year.

4. Conversely, the Legislature expressed its interest in the last budget bill to exercise greater control over DWD's expenditures by converting the two federal block grant appropriations to annual appropriations. Maintaining current law would allow the Legislature to reassess whether funds should continue to be provided for programs with unspent funds on an annual basis. This would give the Legislature greater flexibility to decide whether to continue programs with unspent funds or to fund other items which may be experiencing shortfalls.

5. The Governor's recommendation would also require DWD to submit an annual report to the Secretary of DOA. This report could be used for tracking spending in specific programs, development of the biennial budget and to determine the amount of savings, if any, that would be available at the close of each fiscal year. The bill did not include an annual due date for the report. A reasonable deadline would be November 1<sup>st</sup> of each fiscal year, since that would give DWD time to review final expenditures. Otherwise, DWD would not be required to submit the report until June 30th of each fiscal year, which could limit its usefulness. The Committee may also want to require that the report be submitted to the Joint Committee on Finance since the Committee has previously indicated an interest in legislative oversight of the TANF program.

### **Technical Modifications**

6. As worded under current law, the general definition of "continuing appropriations" may be interpreted to imply that all PR, FED and SEG continuing appropriations authorize the expenditure of all moneys credited to the appropriation, regardless of the amounts shown in the appropriations schedule. This is inconsistent with the Governor's proposal regarding DWD's appropriations and with other existing sum certain, continuing appropriations of PR, FED and SEG funds. The definition of "continuing appropriation" should be modified to clarify that such

appropriations may be provided on a sum certain basis. This change should be done regardless of whether the Governor's recommendation is approved by the Committee.

7. The Legislative Reference Bureau advises that several other technical modifications would be needed to implement the intent of the Governor's proposal. An exemption would have to be added to the s. 16.54 approval process in order for DWD to carry unexpended funds forward from year to year. This modification only needs to occur if the Committee chooses to adopt the Governor's recommendation.

8. In addition, the Legislative Reference Bureau advises that s. 49.175 would need to be modified to clarify that DWD, subject to approval by DOA, can only reallocate funds among allocations within a specific fiscal year and that funds can only be reallocated for purposes permitted by the original appropriation source. These modifications to s. 49.175 would not represent a change from current practice and should be done regardless of whether the Governor's recommendation is approved by the Committee.

## ALTERNATIVES TO BILL

### Adopt Governor's Recommendation

1. Adopt the Governor's recommendations to:
  - a. Change DWD's federal block grant appropriations for the TANF program from annual to sum certain, continuing appropriations, with expenditure authority limited to the amounts in the Chapter 20 schedule.
  - b. Require DWD to submit an annual report to the Secretary of the Department of Administration on expenditures made for the TANF program.

### Technical Modifications

2. Modify the general definition of "continuing appropriations" to clarify that PR, FED and SEG continuing appropriations can be provided on a sum certain basis.
3. Add an exemption to the s. 16.54 approval process to permit DWD to carry unexpended funds forward from year to year if the funds have been allocated under s. 49.175.
4. Modify s. 49.175 to clarify that:
  - a. DWD, subject to approval by DOA, can only reallocate funds among allocations within a specific fiscal year.
  - b. Funds can only be reallocated for purposes permitted by the original appropriation source.

### **Annual Report of Expenditures**

5. Modify the Governor's recommendation to require DWD to submit an annual report of expenditures in the TANF program to both the Secretary of the Department of Administration and the Joint Committee on Finance by November 1<sup>st</sup> of each fiscal year.

### **Maintain Current Law**

6. Maintain current law, which would maintain DWD's federal block grant aids and operations appropriations as annual appropriations, and would not require DWD to submit an annual report to DOA on expenditures made for the TANF program.

Prepared by: Victoria Carreón

## **Sager-Rosenthal, Ivy**

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**From:** Carreon, Victoria  
**Sent:** Tuesday, May 22, 2001 4:41 PM  
**To:** Sager-Rosenthal, Ivy  
**Subject:** Paper # 1054 on Continuing Appropriations

Ivy,

Below are some slightly more detailed paragraphs reflecting the changes adopted by JFC in Alternatives 2 and 4a and b in Paper #1054. Let me know if you have questions.

-Victoria

### **Alternative 2**

Change the definition of continuing appropriation to clarify that program revenue continuing appropriations can be limited to the amounts in the schedule and do not have to be "all moneys received."

### **Alternative 4a and b**

Section 49.175 should be clarified by stating that DWD, subject to approval by DOA, can only reallocate funds between allocations within a specific fiscal year so that it does not conflict with section 16.54. Lastly, section 49.175 needs to be clarified to state that funds can only be reallocated if the purpose for which the funds are reallocated is authorized by the appropriation from which the funds are derived. These modifications to section 49.175 would not represent a change from current practice.

20. LFB Paper #1048. Alternative 1a. Delete 4.0 PR positions in DHFS's Bureau of Regulation and Licensing, beginning in 2001-02.

21. LFB Paper #1049. Alternative 7. Provide GPR of \$1,395,300 in 2001-02 and \$8,604,700 in 2002-03 to access federal child care matching funds of \$2,032,200 in 2001-02 and \$12,164,500 in 2002-03 to be used for child care subsidies.

22. LFB Paper #1050. Alternative A2. Increase funding for kinship care benefits by \$96,700 PR in DHFS annually to reflect current estimates of kinship care payments made by DHFS and the counties. Increase TANF funding in DWD by a corresponding amount.

23. LFB Paper #1050. Authorize the Joint Committee on Finance to supplement the kinship care appropriation under s. 16.515 if the amounts budgeted for the program are insufficient to fund benefits payments to eligible families.

24. LFB Paper #1051. Alternative 2. Provide an additional \$195,000 FED in 2001-02 and \$400,000 FED in 2001-02 for the state food stamp program for qualified immigrants to reflect recent caseload projections.

25. LFB Paper #1052. Alternative A4. Delete funding for the fatherhood initiative (\$200,000 FED annually).

26. LFB Paper #1053. Alternative 2. Delete the 2.0 positions recommended by the Governor and direct DWD to reallocate 2.0 FTE to the public assistance collections unit. Convert proposed TANF and CCDF expenditures of \$18,800 in 2001-02 and \$25,100 in 2002-03 to PR expenditures to reflect that 0.5 FTE could be supported by PR received from enhanced collections.

27. LFB Paper #1053. Alternative 6. Delete the proposed statutory provisions that would provide DHFS with the option to either contract with DWD or set up its own system for fraud investigation and error reduction for recipients of MA. Under this option, DWD would continue to be required to conduct state and local error reduction activities and overpayment collections for the MA program and there would be no funding transfers between departments.

28. LFB Paper #1054. Alternative 2. Modify the general definition of "continuing appropriations" to clarify that PR, FED and SEG continuing appropriations can be provided on a sum certain basis.

29. LFB Paper #1054. Alternative 4a. and b. Modify s. 49.175 to clarify that DWD, subject to approval by DOA, can only reallocate funds among allocations within a specific fiscal year and that funds can only be reallocated for purposes permitted by the original appropriation.

30. LFB Paper #1054. Alternative 5. Require DWD to submit an annual report of expenditures in the TANF program to both the Secretary of the Department of Administration and the Joint Committee on Finance by November 1<sup>st</sup> of each fiscal year.

31. LFB Paper #1054. Alternative 6. Maintain DWD's federal block grant aids and

operations appropriations as annual appropriations.

32. LFB Paper #1055. Alternative 1b. Require DWD to obtain approval from the Secretary of the Department of Administration and the Joint Committee on Finance, through a 14-day passive review process, for any proposed reallocation within the TANF program if the amount exceeds 5% per allocation per year.

33. LFB Paper #1056. Alternative 2. Allow penalties paid by counties and tribes to be used for food stamp reinvestment activities as follows:

a. Modify s. 20.445(3)(L) of the statutes to do the following: (1) allow the appropriation to receive funds from counties or tribal governments as a result of DWD's error-reduction activities; (2) allow the appropriation to be used to pay sanctions imposed on the state under the food stamp program or to fund food stamp reinvestment activities; and (3) allow the appropriation to be used for both local and state activities.

b. Repeal s. 20.445(3)(Lm) and transfer all unencumbered continuing balances in the appropriation to s. 20.445(3)(L);

c. Delete language in s. 49.197(3) requiring the Department to fund all fraud and error reduction activities under s. 20.445(3)(L) since some error reduction activities would not be funded under that appropriation; and

d. Increase funding by \$975,000 PR annually to reflect revenues anticipated to be received from penalties levied on counties for food stamp payment errors and existing excess revenue from overpayment collections. Reduce GPR by \$450,000 in 2001-02 to reflect a net reduction in the amount of GPR needed for food stamp reinvestment activities.

34. LFB Paper #1057. Alternative 2. Make the following technical and clarifying statutory changes: (a) delete the definition of "income maintenance worker"; (b) clarify that DWD and DHFS would jointly contract for the costs of administering both BadgerCare and MA; (c) delete Wisconsin Works from the definition of the income maintenance program; (d) retain county administration of child care in the definition of the income maintenance program; and (e) allow DHFS and DWD to contract with tribes for MA administration and allow DWD to contract with tribes for food stamp administration.

35. LFB Paper #1057. Alternative 3. Adjust DWD's appropriation schedule to reflect \$58,341,600 PR annually anticipated to be received under the bill from DHFS for payments to counties for eligibility determination, CARES maintenance and other administrative functions. Specify that these funds would be placed in unallotted reserve in DWD.

36. Provide \$100,000 FED annually to the Wisconsin Trust Account Foundation (WisTAF) to distribute to grantees for the provision of direct civil legal services to low-income individuals in the state. Retain the statutory provisions relating to providing TANF funding for WisTAF.

**Sager-Rosenthal, Ivy**

From: Carreon, Victoria  
Sent: Wednesday, April 11, 2001 8:06 AM  
To: Sager-Rosenthal, Ivy  
Subject: Here are the two paragraphs

for JTK

1. Under current law, the definition of continuing appropriations states that the amount of program revenue (including federal revenue) and segregated revenue appropriations consists of the balance in the appropriation account at the end of the previous fiscal year, if any, together with any revenues received during the fiscal year that are directed by law to be credited to the appropriation. This provision is in conflict with the intent of the Governor's proposal to limit DWD to the amounts in the Chapter 20 schedule. This language is also in conflict with other existing program revenue and segregated revenue sum certain, continuing appropriations. The Legislative Reference Bureau advises that a technical modification should be made to this definition to clarify that program revenue continuing appropriations can be limited to the amounts in the schedule and do not have to be "all moneys received."

The Legislative Reference Bureau also <sup>S. 20.00211</sup> advises that several <sup>DWD to expend federal</sup> other technical modifications would be needed to implement the intent of the Governor's proposal. In order for funds ~~that~~ carried over from one biennium to the next, an exemption would have to be added to the current approval process under section 16.54. This provision would be effective on July 1, 2003 and would allow moneys that were appropriated and allocated in the 2001 statutes and subsequent versions of the statutes but were not expended, to be expended in the subsequent biennium without going through the approval process in section 16.54. In order for funds to be carried over from one fiscal year to the next within a biennium, a second exemption would have to be added to section 16.54. This provision would allow moneys that were appropriated and allocated in the first year of the biennium but were not expended, <sup>under allocation limits</sup> to be expended in the second year of the biennium without going through the approval process in section 16.54. Lastly, section 49.175 should be clarified by stating that DWD, subject to approval by DOA, can only reallocate funds between allocations within a <sup>single</sup> specific fiscal year so that it does not conflict with section 16.54. This modification to section 49.175 would not represent a change from current practice.

w/o first receiving JFC approval

<sup>01-03</sup> if the provision in the budget would only apply to 2001 allocations - each budget would have to amend s.16.54 to permit allocations to be executed

1. Mixing purposes in sub(2) to conform to 16.54(2)(a)1.
2. Mixing fiscal years in sub(2)
3. Update every budget for biennium to biennium
4. "under the allocation limits"  
"moneys allocated under 49.175 for the first fiscal year of the biennium that were not expended in that fiscal year, may be expended ~~in that fiscal year~~ in the second year of that biennium, for the purpose for which they were allocated"





State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb0364/1

ISR: /:....  
WJ

LFB:.....Carreon – Limits on expenditure of TANF moneys

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

DNOTS  
Sern

At the locations indicated, amend the bill as follows:

✓ 1. Page 229, line 12: after that line insert:

✓  
“SECTION 255p. 16.54 (2) (a) 2. of the statutes is amended to read:

16.54 (2) (a) 2. Whenever a block grant is made to this state under any federal law enacted after August 31, 1995, which authorizes the distribution of block grants for the purposes for which the grant is made, the governor shall not administer and  
(7) no board, commission or department may encumber or expend moneys received as a part of the grant unless the governor first notifies the cochairpersons of the joint committee on finance, in writing, that the grant has been made. The notice shall contain a description of the purposes proposed by the governor for expenditure of the moneys received as a part of the grant. If the cochairpersons of the committee do not notify the governor that the committee has scheduled a meeting for the purpose of

1 reviewing the proposed expenditure of grant moneys within 14 working days after  
2 the date of the governor's notification, the moneys may be expended as proposed by  
3 the governor. If, within 14 working days after the date of the governor's notification,  
4 the cochairpersons of the committee notify the governor that the committee has  
5 scheduled a meeting for the purpose of reviewing the proposed expenditure of grant  
6 moneys, no moneys received as a part of the grant may be expended without the  
7 approval of the committee. This subdivision does not apply to the expenditure of  
8 block grant funds that are allocated under s. 49.175 in the fiscal year in which the  
9 funds are allocated under s. 49.175."

History: 1973 c. 333; 1975 c. 39 ss. 69, 732 (1); 1975 c. 224; 1977 c. 418; 1979 c. 34; 1981 c. 27; 1983 a. 27, 208, 470; 1985 a. 29; 1987 a. 4, 27, 186, 399, 403; 1989 a. 31; 1991 a. 39, 316; 1995 a. 27 ss. 303 to 307, 9126 (19); 1995 a. 132, 225; 1999 a. 9, 74.

Insert 2-10 -> 2. Page 276, line 16: after that line insert:

11 3. Page 547, line 11: delete the material beginning with "The" and ending with  
12 "the" on line 12 and substitute "The".

13 4. Page 547, line 21: delete the material beginning with "The" and ending with  
14 "the" on line 22 and substitute "The".

15 5. Page 548, line 4: delete lines 4 to 12.

16 6. Page 801, line 20: delete the material beginning with that line and ending  
17 with page 802, line 1 and substitute:

18 "SECTION 1716m. 49.175 (2) of the statutes is renumbered 49.175 (2) (a) (intro.)  
19 and amended to read:

20 49.175 (2) (a) (intro.) The department may ~~redistribute~~ reallocate funds that  
21 are allocated for a purpose specified under any under a paragraph under sub. (1) ~~to~~  
22 ~~be used for any other purpose specified in any other a~~ paragraph under sub. (1) if the  
23 all of the following requirements are met:

3. ~~If~~ <sup>the</sup> department proposes to reallocate not more than 5% of the total amount allocated for a purpose specified under a paragraph under sub. (1), the secretary of administration approves the ~~redistribution~~ reallocation.

History: 1997 a. 27, 105, 236, 237, 252, 318; 1999 a. 9.

**SECTION 1716o.** 49.175 (2) (a) 1. <sup>✓</sup> of the statutes is created to read:

49.175 (2) (a) 1. The purpose for which the funds are reallocated is authorized by the appropriation from which the funds are derived.

**SECTION 1716q.** 49.175 (2) (a) 2. <sup>✓</sup> of the statutes is created to read:

49.175 (2) (a) 2. The funds are reallocated for expenditure in the same fiscal year for which they were allocated under sub. (1).

**SECTION 1716s.** 49.175 (2) (a) 4. <sup>✓</sup> of the statutes is created to read:

49.175 (2) (a) 4. If the department proposes to reallocate more than 5% of the total amount allocated for a purpose specified under a paragraph under sub. (1), the secretary of administration approves the reallocation and the joint committee on finance approves the reallocation as specified under par. (b). <sup>✓</sup>

**SECTION 1716v.** 49.175 (2) (b) of the statutes is created to read:

49.175 (2) (b) If the department proposes to reallocate more than 5% of the total amount allocated for a purpose specified under a paragraph under sub. (1) and the secretary of administration has approved the reallocation under par. (a) 4., the secretary shall submit the proposal to the joint committee on finance for review. If the cochairpersons of the joint committee on finance do not notify the secretary within 14 working days after the date on which the proposal is submitted that the committee intends to schedule a meeting to review the proposal, the funds may be reallocated as proposed by the department. If, within 14 working days after the date on which the proposal is submitted, the cochairpersons of the committee notify the

1 secretary that the committee intends to schedule a meeting to review the proposal,  
2 the funds may be reallocated only upon approval by the committee.

3 **SECTION 1717g.** 49.175 (2) (c) of the statutes is created to read:".

4 ✓ **7.** Page 802, line 2: delete "(b)" and substitute "(c)".

5 ✓ **8.** Page 802, line 11: delete "In" and substitute "On November 1 of".

6 ✓ **9.** Page 802, line 12: after "administration" insert "and the cochairpersons of  
7 the joint committee on finance".

8 (END)

Inset 2-10

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb0364/linsJTK  
ISR.....

③  
390d

\* " SECTION 20.001 (3) (c) of the statutes is amended to read:

20.001 (3) (c) *Continuing appropriations.* Continuing appropriations, indicated by the abbreviation "C" in s. 20.005, are appropriations which are expendable until fully depleted or repealed by subsequent action of the legislature. The amount of a sum certain continuing appropriation for a given fiscal year consists of the unencumbered balance in the appropriation account at the end of the previous fiscal year, if any, together with any moneys appropriated under s. 20.005 for that fiscal year. The amount of a continuing appropriation ~~from program revenues or segregated revenues from program receipts~~ other than a sum certain appropriation consists of the unencumbered balance in the appropriation account at the end of the previous fiscal year, if any, together with any revenues received during the fiscal year that are directed by law to be credited to the appropriation account. Dollar amounts shown in the schedule under s. 20.005 for a continuing appropriation ~~from program revenues or segregated revenues from program receipts~~ other than a sum certain appropriation represent the most reliable estimates of the amounts which will be expended during any fiscal year. Except as provided in ss. 20.002 (11) and 20.903 (2), expenditures made in accordance with ch. 16 under a continuing appropriation ~~from program revenues or segregated revenues from program receipts~~ other than a sum certain appropriation are limited only by the available revenues from which the appropriation is made. Continuing appropriations are indicated in ss. 20.115 to 20.875 by the introductory phrase, "as a continuing appropriation", "all moneys received from" or "all moneys transferred from".

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0364/ldn

ISR:/.....

Wlj

Victoria Carreón:

This amendment contains Items <sup>28</sup>~~29~~ <sup>9</sup>~~30~~ <sup>to</sup> 32. of Motion #346. Please review the amendment carefully to make sure that it is consistent with your intent. If you have any questions, please feel free to contact me.

Ivy G. Sager-Rosenthal

Legislative Attorney

Phone: (608) 261-4455

E-mail: ivy.sager-rosenthal@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0364/1dn

ISR:wlj:jf

June 5, 2001

Victoria Carreón:

This amendment contains Items 28. to 32. of Motion #346. Please review the amendment carefully to make sure that it is consistent with your intent. If you have any questions, please feel free to contact me.

Ivy G. Sager-Rosenthal  
Legislative Attorney  
Phone: (608) 261-4455  
E-mail: [ivy.sager-rosenthal@legis.state.wi.us](mailto:ivy.sager-rosenthal@legis.state.wi.us)



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb0364/1

ISR:wlj

RMR

LFB:.....Carreon - Limits on expenditure of TANF moneys

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

Seen  
Thanks

Eds: Only  
change d  
on P. 5, line 2.  
Thanks!

At the locations indicated, amend the bill as follows:

1. Page 229, line 12: after that line insert:

**"SECTION 255p.** 16.54 (2) (a) 2. of the statutes is amended to read:

16.54 (2) (a) 2. Whenever a block grant is made to this state under any federal law enacted after August 31, 1995, which authorizes the distribution of block grants for the purposes for which the grant is made, the governor shall not administer and no board, commission, or department may encumber or expend moneys received as a part of the grant unless the governor first notifies the cochairpersons of the joint committee on finance, in writing, that the grant has been made. The notice shall contain a description of the purposes proposed by the governor for expenditure of the moneys received as a part of the grant. If the cochairpersons of the committee do not notify the governor that the committee has scheduled a meeting for the purpose of



1 reviewing the proposed expenditure of grant moneys within 14 working days after  
2 the date of the governor's notification, the moneys may be expended as proposed by  
3 the governor. If, within 14 working days after the date of the governor's notification,  
4 the cochairpersons of the committee notify the governor that the committee has  
5 scheduled a meeting for the purpose of reviewing the proposed expenditure of grant  
6 moneys, no moneys received as a part of the grant may be expended without the  
7 approval of the committee. This subdivision does not apply to the expenditure of  
8 block grant funds that are allocated under s. 49.175 in the fiscal year in which the  
9 funds are allocated under s. 49.175."

10 **2.** Page 276, line 16: after that line insert:

11 "SECTION 390d. 20.001 (3) (c) of the statutes is amended to read:

12 20.001 (3) (c) *Continuing appropriations.* Continuing appropriations,  
13 indicated by the abbreviation "C" in s. 20.005, are appropriations which are  
14 expendable until fully depleted or repealed by subsequent action of the legislature.  
15 The amount of a sum certain continuing appropriation for a given fiscal year consists  
16 of the unencumbered balance in the appropriation account at the end of the previous  
17 fiscal year, if any, together with any moneys appropriated under s. 20.005 for that  
18 fiscal year. The amount of a continuing appropriation ~~from program revenues or~~  
19 ~~segregated revenues from program receipts~~ other than a sum certain appropriation  
20 consists of the unencumbered balance in the appropriation account at the end of the  
21 previous fiscal year, if any, together with any revenues received during the fiscal year  
22 that are directed by law to be credited to the appropriation account. Dollar amounts  
23 shown in the schedule under s. 20.005 for a continuing appropriation ~~from program~~  
24 ~~revenues or segregated revenues from program receipts~~ other than a sum certain

1 appropriation represent the most reliable estimates of the amounts which will be  
2 expended during any fiscal year. Except as provided in ss. 20.002 (11) and 20.903 (2),  
3 expenditures made in accordance with ch. 16 under a continuing appropriation ~~from~~  
4 ~~program revenues or segregated revenues from program receipts~~ other than a sum  
5 certain appropriation are limited only by the available revenues from which the  
6 appropriation is made. Continuing appropriations are indicated in ss. 20.115 to  
7 20.875 by the introductory phrase, "as a continuing appropriation", "all moneys  
8 received from," or "all moneys transferred from".

9 **3.** Page 547, line 11: delete the material beginning with "The" and ending with  
10 ", the" on line 12 and substitute "The".

11 **4.** Page 547, line 21: delete the material beginning with "The" and ending with  
12 ", the" on line 22 and substitute "The".

13 **5.** Page 548, line 4: delete lines 4 to 12.

14 **6.** Page 801, line 20: delete the material beginning with that line and ending  
15 with page 802, line 1, and substitute:

16 "SECTION 1716m. 49.175 (2) of the statutes is renumbered 49.175 (2) (a) (intro.)  
17 and amended to read:

18 49.175 (2) (a) (intro.) The department may ~~redistribute~~ reallocate funds that  
19 are allocated for a purpose specified under any under a paragraph under sub. (1) to  
20 be used for any other purpose specified in any other a paragraph under sub. (1) if the  
21 all of the following requirements are met:

22 3. If the department proposes to reallocate not more than 5% of the total  
23 amount allocated for a purpose specified under a paragraph under sub. (1), the  
24 secretary of administration approves the ~~redistribution~~ reallocation.

1       **SECTION 1716o.** 49.175 (2) (a) 1. of the statutes is created to read:

2       49.175 (2) (a) 1. The purpose for which the funds are reallocated is authorized  
3 by the appropriation from which the funds are derived.

4       **SECTION 1716q.** 49.175 (2) (a) 2. of the statutes is created to read:

5       49.175 (2) (a) 2. The funds are reallocated for expenditure in the same fiscal  
6 year for which they were allocated under sub. (1).

7       **SECTION 1716s.** 49.175 (2) (a) 4. of the statutes is created to read:

8       49.175 (2) (a) 4. If the department proposes to reallocate more than 5% of the  
9 total amount allocated for a purpose specified under a paragraph under sub. (1), the  
10 secretary of administration approves the reallocation, and the joint committee on  
11 finance approves the reallocation as specified under par. (b).

12       **SECTION 1716v.** 49.175 (2) (b) of the statutes is created to read:

13       49.175 (2) (b) If the department proposes to reallocate more than 5% of the total  
14 amount allocated for a purpose specified under a paragraph under sub. (1), and the  
15 secretary of administration has approved the reallocation under par. (a) 4., the  
16 secretary shall submit the proposal to the joint committee on finance for review. If  
17 the cochairpersons of the joint committee on finance do not notify the secretary  
18 within 14 working days after the date on which the proposal is submitted that the  
19 committee intends to schedule a meeting to review the proposal, the funds may be  
20 reallocated as proposed by the department. If, within 14 working days after the date  
21 on which the proposal is submitted, the cochairpersons of the committee notify the  
22 secretary that the committee intends to schedule a meeting to review the proposal,  
23 the funds may be reallocated only upon approval by the committee.

24       **SECTION 1717g.** 49.175 (2) (c) of the statutes is created to read:".

- 1 7. Page 802, line 2: delete "(b)" and substitute "(c)".
- 2 8. Page 802, line 11: delete "In" and substitute "<sup>By</sup>~~On~~ November 1 of".
- 3 9. Page 802, line 12: after "administration" insert "and the cochairpersons of
- 4 the joint committee on finance".

**(END)**

LFB:.....Carreon – Limits on expenditure of TANF moneys

FOR 2001 03 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144**

1           At the locations indicated, amend the bill as follows:

2           **1.** Page 229, line 12: after that line insert:

3           “**SECTION 255p.** 16.54 (2) (a) 2. of the statutes is amended to read:

4           16.54 (2) (a) 2. Whenever a block grant is made to this state under any federal  
5 law enacted after August 31, 1995, which authorizes the distribution of block grants  
6 for the purposes for which the grant is made, the governor shall not administer and  
7 no board, commission, or department may encumber or expend moneys received as  
8 a part of the grant unless the governor first notifies the cochairpersons of the joint  
9 committee on finance, in writing, that the grant has been made. The notice shall  
10 contain a description of the purposes proposed by the governor for expenditure of the  
11 moneys received as a part of the grant. If the cochairpersons of the committee do not  
12 notify the governor that the committee has scheduled a meeting for the purpose of

1 reviewing the proposed expenditure of grant moneys within 14 working days after  
2 the date of the governor's notification, the moneys may be expended as proposed by  
3 the governor. If, within 14 working days after the date of the governor's notification,  
4 the cochairpersons of the committee notify the governor that the committee has  
5 scheduled a meeting for the purpose of reviewing the proposed expenditure of grant  
6 moneys, no moneys received as a part of the grant may be expended without the  
7 approval of the committee. This subdivision does not apply to the expenditure of  
8 block grant funds that are allocated under s. 49.175 in the fiscal year in which the  
9 funds are allocated under s. 49.175."

10 **2.** Page 276, line 16: after that line insert:

11 "SECTION 390d. 20.001 (3) (c) of the statutes is amended to read:

12 20.001 (3) (c) *Continuing appropriations.* Continuing appropriations,  
13 indicated by the abbreviation "C" in s. 20.005, are appropriations which are  
14 expendable until fully depleted or repealed by subsequent action of the legislature.  
15 The amount of a sum certain continuing appropriation for a given fiscal year consists  
16 of the unencumbered balance in the appropriation account at the end of the previous  
17 fiscal year, if any, together with any moneys appropriated under s. 20.005 for that  
18 fiscal year. The amount of a continuing appropriation ~~from program revenues or~~  
19 ~~segregated revenues from program receipts~~ other than a sum certain appropriation  
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21 previous fiscal year, if any, together with any revenues received during the fiscal year  
22 that are directed by law to be credited to the appropriation account. Dollar amounts  
23 shown in the schedule under s. 20.005 for a continuing appropriation ~~from program~~  
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1 appropriation represent the most reliable estimates of the amounts which will be  
2 expended during any fiscal year. Except as provided in ss. 20.002 (11) and 20.903 (2),  
3 expenditures made in accordance with ch. 16 under a continuing appropriation ~~from~~  
4 ~~program revenues or segregated revenues from program receipts~~ other than a sum  
5 certain appropriation are limited only by the available revenues from which the  
6 appropriation is made. Continuing appropriations are indicated in ss. 20.115 to  
7 20.875 by the introductory phrase, “as a continuing appropriation<sup>2</sup>,” “all moneys  
8 received from,” or “all moneys transferred from<sup>2</sup>.”.

9 **3.** Page 547, line 11: delete the material beginning with “The” and ending with  
10 “, the” on line 12 and substitute “The”.

11 **4.** Page 547, line 21: delete the material beginning with “The” and ending with  
12 “, the” on line 22 and substitute “The”.

13 **5.** Page 548, line 4: delete lines 4 to 12.

14 **6.** Page 801, line 20: delete the material beginning with that line and ending  
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17 and amended to read:

18 49.175 (2) (a) (intro.) The department may ~~redistribute~~ reallocate funds that  
19 are allocated for a purpose specified under any under a paragraph under sub. (1) to  
20 be used for any other purpose specified in any other a paragraph under sub. (1) if the  
21 all of the following requirements are met:

22 3. If the department proposes to reallocate not more than 5% of the total  
23 amount allocated for a purpose specified under a paragraph under sub. (1), the  
24 secretary of administration approves the redistribution reallocation.

1           **SECTION 1716o.** 49.175 (2) (a) 1. of the statutes is created to read:

2           49.175 (2) (a) 1. The purpose for which the funds are reallocated is authorized  
3 by the appropriation from which the funds are derived.

4           **SECTION 1716q.** 49.175 (2) (a) 2. of the statutes is created to read:

5           49.175 (2) (a) 2. The funds are reallocated for expenditure in the same fiscal  
6 year for which they were allocated under sub. (1).

7           **SECTION 1716s.** 49.175 (2) (a) 4. of the statutes is created to read:

8           49.175 (2) (a) 4. If the department proposes to reallocate more than 5% of the  
9 total amount allocated for a purpose specified under a paragraph under sub. (1), the  
10 secretary of administration approves the reallocation, and the joint committee on  
11 finance approves the reallocation as specified under par. (b).

12           **SECTION 1716v.** 49.175 (2) (b) of the statutes is created to read:

13           49.175 (2) (b) If the department proposes to reallocate more than 5% of the total  
14 amount allocated for a purpose specified under a paragraph under sub. (1), and the  
15 secretary of administration has approved the reallocation under par. (a) 4., the  
16 secretary shall submit the proposal to the joint committee on finance for review. If  
17 the cochairpersons of the joint committee on finance do not notify the secretary  
18 within 14 working days after the date on which the proposal is submitted that the  
19 committee intends to schedule a meeting to review the proposal, the funds may be  
20 reallocated as proposed by the department. If, within 14 working days after the date  
21 on which the proposal is submitted, the cochairpersons of the committee notify the  
22 secretary that the committee intends to schedule a meeting to review the proposal,  
23 the funds may be reallocated only upon approval by the committee.

24           **SECTION 1717g.** 49.175 (2) (c) of the statutes is created to read:”.



